

Testimony of Louise DiCocco  
Assistant Counsel, CBIA  
Before the GAE Committee  
February 22, 2016

**Re: Testimony in Support of SB 15, AA Adopting the Requirements of North Carolina Board of Dental Examiners V. FTC and Making Minor Revisions to Statutes Concerning Various Boards and Commissions**

Good afternoon Senator Cassano, Representative Jutila, members of the Government Administration and Election Committee. Thank you for the opportunity to submit testimony today. My name is Louise DiCocco, and I am Assistant Counsel at the Connecticut Business and Industry Association (CBIA). CBIA represents more than 10,000 companies throughout the state of Connecticut, but most of our members are small businesses of 50 or fewer employees.

CBIA is in support of the bill. In the NC Dental case, the U.S. Supreme Court held that a government official who is NOT an active market participant must review and approve any recommended decisions of state occupational licensing boards and commissions when a majority of the members of such boards and commissions are "active market participants." If this change is accomplished, the risk of a challenge under the federal antitrust laws to the decisions of such boards and commissions can be eliminated. Because the boards and commissions within DCP are in fact comprised primarily of active market participants, SB 15, if adopted, will protect the DCP occupational licensing boards and commissions, including their members, from antitrust liability.

In closing, CBIA urges your support of SB 15 and would like to note the General Assembly addressed this ant-trust issue with regards to the various boards and commissions within the Connecticut Department of Public Health (DPH) during the June Special Session of 2015. (P.A. 15-5, Sec. 493, amending C.G.S. Sec. 19a-14).

Thank you for your consideration. If you have any questions, please contact me at [louise.dicocco@cbia.com](mailto:louise.dicocco@cbia.com) or 860-244-1169.